


# MEMORANDUM

**State of Alaska**  
**Department of Administration**  
**Division of Personnel**

**To:** All Human Resources Managers

**Date:** May 2, 2002

**From:** Sharon Barton   
Director  
Division of Personnel

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**Subject:** Interpretive Memorandum 02-K-001  
Medical Leave Bank, Confidential Unit Employees

Many of you have asked, "In what circumstances may Confidential Unit employees access their banked medical leave balances?" This memorandum is intended to answer your questions.

Access to banked medical leave must be for illness and/or injury (Article 8.03 (B)). This precludes the use of medical leave for parental leave as covered by FMLA and AFLA, unless there is an underlying illness or injury.

In order to use any of the banked medical leave there must be a medical disability that prevents the employee from working for seven consecutive working days (Article 8.03 (B)).

In family and medical leave situations involving illness or injury, banked medical leave may also be used (Article 8.12). Any one medical disability that prevents the employee from working, as certified by the attending health care provider, which exceeds seven consecutive days, will be first charged to personal leave. After exceeding the seven consecutive days additional leave taken shall be charged to the medical leave bank (Article 8.03 (B) (2)).

An employee can elect to retain 37.5 hours of personal leave in his or her account for use upon return from leave taken under the provisions of FMLA (Article 8.12).

Employees in the CEA may also use banked medical leave for funeral leave purposes after all accrued personal leave has been exhausted (Article 8.06).

If you have questions regarding this matter, please direct them to the Labor Relations Specialist assigned to your department.

cc: David Koivuniemi  
Assistant Commissioner

David Stewart  
Personnel Manager